

June 17, 2003

PUBLIC UTILITIES COMMISSION
Interim Electric Energy Conservation Programs

ORDER EXTENDING INTERIM
CONSERVATION PROGRAM
FUNDING –TRAFFIC SIGNAL
REPLACEMENT PROGRAM

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

By this Order, we grant additional funding of \$24,000 for the Traffic Light Replacement Program, an interim conservation program pursuant to P.L. 2001, ch. 624, § 7. The program provides financial incentives for the replacement of inefficient incandescent traffic signals with more efficient signals. The program is operated jointly with the Department of Transportation, which serves as the program administrator. With the additional funding, all eligible incandescent traffic signals at municipally controlled intersections will be replaced.

II. BACKGROUND

The Conservation Act, P.L. 2001, ch. 624, enacted during the second session of the 120th Legislature, establishes the terms that govern an electric energy conservation program in Maine. Section 4 of ch. 624 directs the Commission to develop and implement electric energy conservation programs that are consistent with the goals and objectives of an overall energy conservation program strategy that the Commission must establish. Various other statutory directives require the Commission to promulgate rules and hold public hearings.

On June 13, 2002, we issued our Order Establishing Interim Conservation Programs, wherein we implemented specific interim programs that were described in the Order. We also ordered the Staff to further investigate other programs that showed potential for meeting our criteria for interim programs.

Although a traffic signal replacement program was not among the programs we considered as part of the process resulting in our June 13 Order, Maine Department of Transportation (MDOT) officials contacted the Commission Staff about such an interim program. Upon investigation, the Staff concluded that the proposed traffic signal replacement program would meet the criteria for interim programs, as well as satisfying many of the requirements for on-going programs listed in Title 35-A, section 3211-A. On November 8, 2002, we approved a traffic signal replacement program with funding at a level not to exceed \$200,000. Commission staff was specifically directed to request

Commission approval for any program spending that would exceed the 10% contingency level included in the November 8 Order.

III. INTERIM TRAFFIC SIGNAL REPLACEMENT PROGRAM

Subsequent to our November 8 Order, Commission Staff and representatives of the Maine Department of Transportation have successfully implemented this program. A Memorandum of Understanding that defines the responsibility of each agency has been developed and signed. MDOT has marketed the program to all municipalities that maintain traffic signals within the State, and all have responded favorably by applying for assistance from the program. The enthusiastic response to the program and the favorable prices received by MDOT in response to their request for proposals for replacement signals will allow us to complete the renovation of the 662 municipally controlled traffic signals at signalized intersections in Maine through an additional \$24,000 of funding.

IV. FUTURE ACTIONS

We grant an additional \$24,000 of funding to conclude the Traffic Signal Replacement Program as described herein and delegate to the Staff the authority to implement the program consistent with this Order.

Dated at Augusta, Maine, this 17th day of June, 2003.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.